



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

TRG
Docket No: 2614-98
16 November 1999

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 9 November 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Naval Reserve on 28 October 1980 at age 17 and reported for two years of active duty that same day. The record shows that you then served without incident until 4 December 1981. On that date you received nonjudicial punishment for an unauthorized absence of about 13 hours. You received another nonjudicial punishment on 12 February 1982 for possession of marijuana and possession of a deadly weapon.

On 21 February 1982 you were notified of separation processing due to substandard performance and failure to adapt to military service. Subsequently, the discharge authority directed a general discharge. On 24 February 1982 you were issued an adverse performance evaluation with adverse marks in the categories of professional performance, military behavior, military appearance and adaptability. The general discharge was issued on 24 February 1982.

Character of service is based, in part on conduct and overall trait averages which are computed from marks assigned during periodic evaluations. Your conduct and overall trait averages

were 2.0 and 1.75, respectively. The minimum average marks required at the time of your separation for a fully honorable characterization of service were 3.0 in conduct and 2.8 in overall traits.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth, limited education and your contention that marital problems were a factor in your inability to adjust to Naval service. The Board found that these factors and contentions were not sufficient to warrant recharacterization of your discharge given your disciplinary record and failure to achieve the required average marks in conduct and overall traits. The Board concluded that the discharge was proper as issued and no change is warranted.

Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director